

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

MALIBU MEDIA LLC,	)	
	)	
Plaintiff,	)	
vs.	)	NO. 1:13-cv-00202-SEB-MJD
	)	
GLENN NOPAL,	)	
	)	
Defendant.	)	

**ORDER TO SHOW CAUSE**

This matter comes before the Court *sua sponte*. The Court takes notice of the September 10, 2013 order of Judge William M. Conley in *Malibu Media LLC v. John Doe Subscriber Assigned IP Address 24.183.51.58*, 13-CV-205-WMC, 2013 WL 4821911 (W.D. Wis. Sept. 10, 2013). That order sanctioned Malibu Media for including in its Complaints an "Exhibit C" that purports to include titles of other pornographic movies not subject to the plaintiff's copyright that were also allegedly downloaded by the same defendant. *Id.* at 2. Judge Conley struck plaintiff's "Exhibit Cs", concluding that the exhibits served no purpose necessary to the Complaint and were instead intended "to harass and intimidate defendants into early settlements by use of the salacious nature of others' materials, rather than the merit of [the plaintiff's] own copyright claims." *Id.*

Plaintiff's Complaint and Amended Complaint in this case also attach exhibits of a similar nature. [Dkts. 1-3, 13-3.]


While the Defendant has not sought to address those exhibits, the Court cannot ignore those exhibits in view of the light cast upon them by Judge Conley's recent order. Accordingly, the Court hereby places Docket Nos. 1-3 and 13-3 **UNDER SEAL** until further order of the Court. Plaintiff is ordered to show cause, within fourteen (14) days of the date of this order, why Docket Nos 1-3 and 13-3 should not be stricken pursuant to Fed. R. Civ. P. 12(f), or in the alternative Plaintiff may move to withdraw those exhibits prior to the deadline to respond to this order.

Dated: 09/24/2013

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Mark J. Dinsmore  
United States Magistrate Judge  
Southern District of Indiana